

# ROBERT GUILD

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January 15, 2018

Ms. Jocelyn D. Boyd  
Chief Clerk  
Public Service Commission of South Carolina  
Post Office Drawer 11649  
Columbia, SC 29211

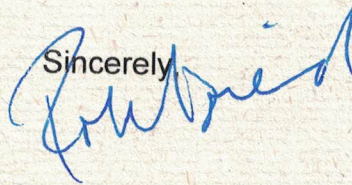
In Re: Joint Application and Petition of South Carolina Electric & Gas Company and Dominion Energy, Inc. for review and approval of a proposed business combination between SCANA Corporation and Dominion Energy, Inc., as may be required, and for a prudency determination regarding the abandonment of the V.C. Summer Units 2 & 3 Project and associated merger benefits and cost recovery plans  
Docket No. 2017-370--E

Dear Ms. Boyd:

Enclosed please find for filing and consideration the **PETITION TO INTERVENE AND RESPONSE OPPOSING MOTION TO EXPEDITE BY FRIENDS OF THE EARTH AND SIERRA CLUB**, together with Certificate of Service. The matter was captioned by the Joint Applicants as a filing in an existing 2017 docket, above, to which it does not appear to properly relate. We ask you to consider the proper assignment of this matter as may appropriate.

With kind regards I am

Sincerely,



Robert Guild

Encl.s

CC: K. Chad Burgess, Esquire  
Shannon Bowyer Hudson, Esquire





## (Caption of Case)

In Re: Joint Application and Petition of South Carolina Electric & Gas Company and Dominion Energy, Inc. for review and approval of a proposed business combination between SCANA Corporation and Dominion Energy, Inc., as may be required, and for a prudency determination regarding the abandonment of the V.C. Summer Units 2 & 3 Project and associated merger benefits and cost recovery plans

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

## COVER SHEET

DOCKET

NUMBER: 2017 - 370 - E

(Please type or print)

Submitted by: Robert Guild

SC Bar Number: 2358

Telephone: (803) 917 573

Address: 314 Pall Mall Street

Fax:

Columbia, SC 29201

Other:

Email: bguild@mindspring.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

## DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition☒ Request for item to be placed on Commission's Agenda expeditiously☐ Other:

## INDUSTRY (Check one)

## NATURE OF ACTION (Check all that apply)

☒ Electric☐ Affidavit☐ Letter☐ Request☐ Electric/Gas☐ Agreement☐ Memorandum☐ Request for Certification☐ Electric/Telecommunications☐ Answer☐ Motion☐ Request for Investigation☐ Electric/Water☐ Appellate Review☐ Objection☐ Resale Agreement☐ Electric/Water/Telecom.☐ Application☐ Petition☐ Resale Amendment☐ Electric/Water/Sewer☐ Brief☐ Petition for Reconsideration☐ Reservation Letter☐ Gas☐ Certificate☐ Petition for Rulemaking☐ Response☐ Railroad☐ Comments☐ Petition for Rule to Show Cause☐ Response to Discovery☐ Sewer☐ Complaint☒ Petition to Intervene☐ Return to Petition☐ Telecommunications☐ Consent Order☐ Petition to Intervene Out of Time☐ Stipulation☐ Transportation☐ Discovery☐ Prefiled Testimony☐ Subpoena☐ Water☐ Exhibit☐ Promotion☐ Tariff☐ Water/Sewer☐ Expedited Consideration☐ Proposed Order☐ Other:☐ Administrative Matter☐ Interconnection Agreement☐ Protest☐ Other:☐ Interconnection Amendment☐ Publisher's Affidavit☐ Late-Filed Exhibit☐ Report

Print Form

Reset Form

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2017-370--E

In Re: Joint Application and Petition of South )  
Carolina Electric & Gas Company and )  
Dominion Energy, Inc. for review and )  
approval of a proposed business combination )  
between SCANA Corporation and Dominion )  
Energy, Inc., as may be required, and for a )  
prudency determination regarding the )  
abandonment of the V.C. Summer Units 2 )  
& 3 Project and associated merger benefits )  
and cost recovery plans )

**PETITION TO INTERVENE  
AND RESPONSE OPPOSING  
MOTION TO EXPEDITE BY  
FRIENDS OF THE EARTH AND  
SIERRA CLUB**

Friends of the Earth (FoE) and the Sierra Club (Sierra), on behalf of their members who will be adversely affected by the approval of the subject Joint Application of South Carolina Electric & Gas Company (SCE&G) and Dominion Energy, Inc., reserving all claims and rights asserted in their nuclear project abandonment Complaint in Docket No. 2017-207-E, hereby petition the Commission pursuant to R. 103-825 of the Commission's Rules and Regulations to intervene and be made a party of record in the above-referenced proceeding. SCE&G's Motion to Dismiss our abandonment Complaint has been denied by Commission Order 2017-770, December 20, 2017. FOE and Sierra contend that the relief sought by the Joint Application is not in the public interest or in the interests of its members and other ratepayers; that it fails to protect ratepayers from unjust and unreasonable rates attributable to the imprudence and mismanagement of the failed nuclear project by SCE&G; and that it fails to assure

that the failed nuclear project will be replaced by least-cost energy efficiency and renewable energy alternative generation. FOE and Sierra, further, oppose the Joint Motion to Expedite Hearing in this matter, which is based on the wholly unsubstantiated assertions that expedited approval of the Joint Application is in ratepayers' interests. A proposed expedited schedule which would require Intervenors to prefile testimony and exhibits by March 20, 2018, would deprive the parties of due process of law and a fair opportunity to obtain evidence through discovery and to adequately prepare for hearing. SCE&G has pointedly obstructed disclosure of evidence of imprudence in its management of the failed nuclear project in Docket No. 2017-207-E, which has been sought but resisted by the Company since July 7, 2017, a period of over six (6) months. A Motion to Compel discovery has been filed and awaits Company response and Commission decision. Requiring prefiled testimony and exhibits in this complex and significant matter in only about two (2) months from initial filing is unfair, unwarranted and unreasonable. In support of this Petition to Intervene, Friends of the Earth and Sierra Club, groups which have challenged the prudence of this Project since 2008, would respectfully show:

1. FoE is a non-profit environmental advocacy organization with members in all the 50 states including South Carolina and its headquarters in Washington, DC. FoE is affiliated with Friends of the Earth International, the world's largest environmental advocacy network with member organizations in 70 countries. FoE has worked for over 40 years to promote a healthy and just world and has been a leading advocate for safe and sustainable energy. It has worked to show how it is possible to shift the U.S. and global economies to a cleaner energy basis, using the latest in efficiency



improvements, along with renewable energy sources such as wind, geothermal, and solar power. Members of FoE are ratepayers of SCE&G and neighbors of the site of the subject nuclear facility. Members of FoE live, work, travel, recreate, use and enjoy natural resources in the vicinity of the subject nuclear facility. They breathe the air, drink and use the water, eat food grown in the vicinity of the project. FoE participated in the initial proceeding before this Commission opposing approval of this Project. FoE's members would be harmed by the continued construction of the subject Project and the alternative generation resources proposed by SCE&G because of unwarranted increases in their electric rates, reduced reliability of their electric service, risk to their health and safety and harm to their use and enjoyment of natural resources which will be adversely affected by the Project and proposed alternatives, the subsequent costs associated with this project, the cost recovery measures proposed by SCE&G for abandoned project costs and the costs associated with SCE&G's proposed replacement alternatives.

2. The Sierra Club is the oldest and largest non-profit grassroots environmental organization in the country with some 750,000 members, 65 Chapters, over 400 local groups. The South Carolina Chapter has seven local groups with more than 5,000 members across the state. The Club's mission is to explore, enjoy, and protect the wild places of the earth; to practice and promote the responsible use of the earth's ecosystems and resources; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out these objectives. The Club and its members actively promote safe energy solutions including energy efficiency and renewable energy resources to combat the climate

crisis and to protect human health and the natural environment. The organization has been actively involved in several proceedings before this Commission regarding cost overruns and schedule delays involving this Project. The South Carolina Chapter of the Club has offices and meeting space at 1314 Lincoln Street, Columbia, South Carolina 29201. Members of the Sierra Club are customers of SCE&G who live, work, recreate and use natural resources near the existing Summer nuclear plant and the site of the proposed Project and pay electric rates related to the Project. Members of Sierra Club would be harmed by the continued construction of the subject Project and the alternative generation resources proposed by SCE&G because of unwarranted increases in their electric rates, reduced reliability of their electric service, risk to their health and safety and harm to their use and enjoyment of natural resources which will be adversely affected by the Project and proposed alternatives, the subsequent costs associated with this project, the cost recovery measures proposed by SCE&G for abandoned project costs and the costs associated with SCE&G's proposed replacement alternatives.

3. Pursuant to S.C. Code Sections 58-27-810, 58-27-960, 58-27-1930, 58-33-275(E), 58-33-280(k) and Rules R. 103-824 and 103-825 of the Commission's Rules and Regulations, FoE and Sierra request that the Commission consider and determine the imprudence of acts and omissions and costs incurred by SCE&G in connection with the Project considering the information available at the time; consider and determine the prudence of abandonment of the subject Project under the applicable terms, conditions and timing; consider and determine the available least-cost efficiency and renewable energy alternatives; and remedy, abate and make due reparations for the

unjust and unreasonable rates to be charged to ratepayers related thereto. FoE and Sierra Club request that the Commission review the prudence of the actions of SCE&G regarding the expenditure capital costs related to the Project and its failure to abandon the Project in the face of facts known to it reflecting the imprudence of continued Project expenditures; and, further, request that the Commission determine the prudence of alternative future actions regarding the Project, including, but not limited to: limiting recovery of Project abandonment costs and replacement of the Project with least-cost alternative resources such as comprehensive energy efficiency measures, and utility scale renewable generation. Finally, FoE and Sierra Club request that the Commission determine just and reasonable rates associated with Project abandonment and the prudent alternatives to the Project, fairly and appropriately apportioning risk, cost and responsibility to SCE&G and its stockholders while protecting ratepayers from and ordering reparation for the unjust and unreasonable rate impacts of utility imprudence related to the Project.

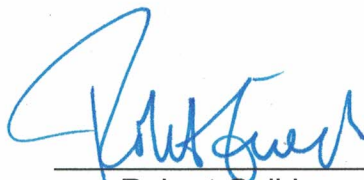
4. By its Petition in this matter SCE&G and Dominion seek Commission prudence approval of the belated decision to abandon the Project, Commission prudence approval of its abandoned Project capital costs, and Commission prudence approval of an unconscionable scheme to allow recovery of excessive profits over a from ratepayers, including our members, as if such abandoned Project costs are wholly prudent, used and useful in providing utility services. Such claims by SCE&G and Dominion are imprudent, unjust, unreasonable and contrary to the public interest. SCE&G and Dominion,, moreover, seek expedited scheduling and hearing in this matter based on the wholly unsubstantiated assertions that expedited approval of the



Joint Application is in ratepayers' interests. The proposed expedited schedule which would require Intervenors to prefile testimony and exhibits by March 20, 2018, would deprive the parties of due process of law and a fair opportunity to obtain evidence through discovery and to adequately prepare for hearing. The Joint Motion to Expedite Hearing is unwarranted and unjust and should be denied.

WHEREFORE: For the foregoing reasons, Friends of the Earth and Sierra Club, on behalf of their members who will be adversely affected by the approval of the subject Petition by SCE&G, hereby petition the Commission pursuant to R. 103-825 of the Commission's Rules and Regulations to intervene and be made a party of record in the above-referenced proceeding; to permit full discovery and disclosure of the information available to SCE&G and the imprudence of acts, omissions and costs incurred by SCE&G bearing on this Project; determine the prudent least-cost alternative replacement resources such as comprehensive energy efficiency measures, and utility scale renewable generation; reject SCE&G's requests to recover abandoned Project costs from its ratepayers; and protect ratepayers from unjust and unreasonable rates associated with the abandoned Project by ordering rate reparations and refunds; and for such other and further relief as may be just and reasonable. The Joint Motion to Expedite Hearing is unwarranted and unjust and should be denied.

January 15, 2018



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Robert Guild  
314 Pall Mall  
Columbia, South Carolina 29201

ATTORNEY FOR FRIENDS OF THE EARTH  
AND SIERRA CLUB



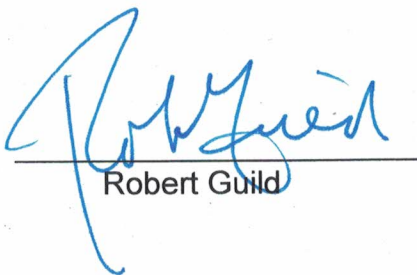
## CERTIFICATE OF SERVICE

I hereby certify that on this date I served the above Petition to Intervene by electronic filing and by placing copies of same in the United States Mail, first-class postage prepaid, addressed to:

K. Chad Burgess, Esquire  
South Carolina Electric & Gas Company/SCANA  
220 Operation Way - MC C222  
Cayce, SC 29033-3701

Shannon Bowyer Hudson, Esquire  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, SC 29201

January 15, 2018



Robert Guild